



DATE: October 25, 2022

TO: Steve Ehlmann, County Executive
Joann Leykam, Director of Administration

CC: Rory O'Sullivan, Acting County Counselor
Donna Vogt, County Council

FROM: Robert Myers, Acting Director of Community Development

RE: Item for November 14, 2022 County Council Meeting

The Community Development Department is submitting the following item for the November 14, 2022 County Council Agenda.

BILL FOR INTRODUCTION:

Planning and Zoning Commission recommends **Approval:**

REZONING REQUEST - 5170 HIGHWAY 94 SOUTH

Application No:	RZ22-15
Property Owner:	Lake Augusta Farms, LLC
Current Zoning:	A, Agricultural District, with Floodway Fringe Overlay District
Requested Zoning:	RR, Single-Family Residential District, with Floodway Fringe Overlay District
2030 Master Plan:	Recommends Agricultural Uses
Area:	1.68 acres of a 134.44-acre parcel
Location:	On the north side of Hackmann Road approximately 2,000 feet east of Bluff Lane near the City of Augusta
County Council District:	2
Account Nos.:	195090A000

REZONING RZ22-15

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CONTENTS:

- Staff Recommendation
- Aerial Photo
- Surrounding Zoning Map
- 2030 Land Use Map
- Notification Area Map
- Rezoning Exhibit
- Letters received:
 - ◆ Support - Jann and John Weitzel



Planning and Zoning Division

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October 25, 2022

This communication summarizes the following bill to be introduced at the November 14, 2022 County Council meeting:

REZONING REQUEST - 5170 HIGHWAY 94 SOUTH

Application No:	RZ22-15
Property Owner:	Lake Augusta Farms, LLC
Current Zoning:	A, Agricultural District, with Floodway Fringe Overlay District
Requested Zoning:	RR, Single-Family Residential District, with Floodway Fringe Overlay District
2030 Master Plan:	Recommends Agricultural Uses
Area:	1.68 acres of a 134.44-acre parcel
Location:	On the north side of Hackmann Road approximately 2,000 feet east of Bluff Lane near the City of Augusta
County Council District:	2
Account Nos.:	195090A000

The applicant is applying to rezone 1.68 acres of this 134.44-acre parcel from A, Agricultural District (5-acre minimum lot size) to RR, Single Family Residential District (3 acre minimum lot size) in order to allow a relatively flat area to be incorporated into an adjoining parcel of land located at 5121 Hackmann Road so a new onsite wastewater treatment system can be installed to serve an existing farmhouse at 5121 Hackmann Road. The applicant views this action as allowing the preservation of a historic farmhouse on the 5121 Hackman site.

As County ordinance does not allow for an onsite wastewater treatment system to be on a different parcel than the building which it services, the applicant is requesting this 1.68-acre property be rezoned to match the existing RR, Single Family Residential District zoning on the adjacent parcel located at 5121 Hackman Road. Approval would allow the property owner to move the property boundaries around the house and reduce the 9.07-acre lot (5121 Hackmann Road) to 3.07 acres. Thus, most of the undevelopable portions of this lot would be incorporated within the 134-acre parcel (5170 South Highway 94).

The Planning and Zoning Commission held a public hearing on October 19, 2022 and received the following input:

Speakers:	<u>2</u> Support	<u>0</u> Opposed	<u>0</u> Concerns
Letters on file:	<u>1</u> Support	<u>0</u> Opposed	<u>0</u> Concerns

Having conducted the public hearing, the Planning & Zoning Commission voted as follows:

7 Approval 0 Denial 0 Abstentions

Recommendation:

The Planning and Zoning Commission unanimously recommends that the County Council approve this rezoning request. County staff concurs with this recommendation.

Sincerely,

Robert Myers, AICP
Director of Planning & Zoning

cc: Steve Ehlmann, County Executive
Joann Leykam, Director of Administration
Rory O'Sullivan, Acting County Counselor

STAFF RECOMMENDATION

To: County Planning & Zoning Commission

Prepared by: Mark E. Price Jr. AICP, CFM

Application No.: RZ22-15

Date: October 11, 2022

BACKGROUND

Property Owner: Lake Augusta Farms, LLC

Requested

Action: Amend the zoning map from A, Agricultural District (5 acre minimum lot size) with FF, Floodway Fringe Overlay; to RR, Single-Family Residential District (3 acre minimum lot size) with FF, Floodway Fringe Overlay

Location: 5170 South Highway 94. On the north side of Hackmann Road approximately 2,000 feet east of Bluff Lane, near the City of Augusta.

Rezoning Area: 1.68 acres

Parcel Area: 134.44 acres

Parcel Account No.: 195090A000

Current Land Use: Agricultural (pastureland) and single-family residence

Adjacent Land Use
and Zoning:

Direction	Zoning	Land Use
North	A, Agricultural District	Agricultural and Single Family Residential
South	A, Agricultural District	Agricultural (cultivation)
East	A, Agricultural District	Agricultural (pastureland) and Single Family Residential
West	A, Agricultural District	Single-Family Residential and Utilities (sewage lagoon)

2030 Master Plan: Recommends Agricultural and Agricultural-Tourism land uses

Public Services: County Council District 2 – Joe Brazil
School District – Washington School District
Fire District – Augusta Fire Protection District

Utilities: Water – Public Water Supply District Number 2
Sewer – Individual Wastewater Treatment System

REZONING ANALYSIS

The applicant is applying to rezone 1.68 acres of the property's total 134.44 acres to RR, Single Family Residential District (3 acre minimum lot size). The purpose of the rezoning is to allow a relatively flat area to be incorporated into an adjoining parcel of land (5121 Hackmann Road) so a new onsite sewage treatment system can be installed to serve an existing farmhouse at 5121

Hackmann Road. The applicant views this action as allowing the preservation of a historic farmhouse on the 5121 Hackman site.

As County ordinance does not allow for an onsite wastewater treatment system to be on a different parcel than the building it services, the applicant is requesting this 1.68-acre property be rezoned to match the existing RR, Single Family Residential District zoning at 5121 Hackman Road. Approval would allow the property owner to move the property boundaries around the house and reduce the 9.07-acre lot (5121 Hackmann Road) to 3.07 acres. Thus, most of the undevelopable portions of this lot would be incorporated within the 134-acre parcel (5170 South Highway 94).

Rezoning the property from Agricultural District to Single-Family Residential District would allow single-family uses, including gardening and keeping horses, but prohibit most traditionally agricultural uses.

The 2030 Future Land Use Plan recommends Agricultural and Agricultural Tourism "AT" Agricultural Tourism land uses.

RECOMMENDATION:

County staff recommends that the Planning and Zoning Commission recommend approval of this application as generally consistent with the 2030 Future Land Use Plan.